

Aug-25-1981

DESCRIPTION:

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, AUGUST 25, 1981
AT 8:30 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING: The meeting was called to order by Chairperson Killea at 9:36 a.m. Chairperson Killea introduced and welcomed Mayor Gabriel Manrique of Bataan, Philippines, and presented him with a gift from the City. Anthony Drake, Consul General for South Africa in Los Angeles, was introduced and welcomed by Chairperson Killea and presented with a gift from the City. The meeting was recessed by Chairperson Killea at 9:37 a.m. to convene as the Redevelopment Agency. The Redevelopment Agency meeting was adjourned by Chairperson Killea at 9:43 a.m. into Closed Session on pending litigation in the Twelfth Floor Conference Room. The meeting was reconvened by Chairperson Killea at 10:41 a.m. with Councilmembers Mitchell, Golding, Williams and Mayor Wilson not present. The meeting was recessed by Chairperson Killea at 11:52 a.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Deputy Mayor Mitchell at 2:11 p.m. with Mayor Wilson and Councilmembers Williams and Schnaubelt not present. The meeting was adjourned by Chairperson Killea at 5:03 p.m. into Closed Session in the twelfth floor conference room on pending litigation.

ATTENDANCE DURING THE MEETING:

(M) Mayor Wilson-excused by R-254901 (vacation).

- (1) Councilmember Mitchell-present.
- (2) Councilmember Cleator-present.
- (3) Councilmember Golding-present.
- (4) Councilmember Williams-excused by R-254753 (vacation).
- (5) Councilmember Schnaubelt-present.
- (6) Councilmember Gotch-present.
- (7) Councilmember Murphy-present.
- (8) Councilmember Killea-present.

Clerk-Abdelnour (jb/eb)

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ITEM-300:

FILE: MINUTES

DESCRIPTION:

Clerk Abdelnour called the roll:

Mayor Wilson-not present.

Councilmember Mitchell-not present.

Councilmember Cleator-present.

Councilmember Golding-present.
Councilmember Williams-not present.
Councilmember Schnaubelt-not present.
Councilmember Gotch-present.
Councilmember Murphy-present.
Councilmember Killea-present.

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ITEM-311:

DESCRIPTION: Three Resolutions relative to authorizing SUGGESTION AWARDS to the following employees:

Subitem-A: (R-82-194)

Robert L. Davis - General Services Department - \$375.
George R. Ikeda - General Services Department - \$215.
Patricia J. DiGiacomo - City Treasurer - \$170.
Frances C. Wyborne - Library Department - \$130.
Edward J. Zitter - Police Department - \$125.

Subitem-B: (R-82-195)

Paul G. Zielins - General Services Department - \$110.
Rose L. Leary - City Clerk - \$95.
James J. Darrach - General Services Department - \$50.
Francis A. Devlin - Water Utilities Department - \$25.
Chuck E. Lundy - Water Utilities Department - \$25.

Subitem-C: (R-82-196)

Gregorio A. Martinez - Water Utilities Department - \$25.
Patricia L. Page - Water Utilities Department - \$25.
Lorna M. Murt - Engineering & Development Department - \$20.

FILE: MEET

COUNCIL ACTION:

COUNCIL ACTION: (Tape location: A065-103)

Subitem-A adopted as Resolution R-254881.

Subitem-B adopted as Resolution R-254882.

Subitem-C adopted as Resolution R-254883.

MOTION BY MURPHY TO ADOPT. Second by Golding. Passed by the following vote:

Mitchell-not present. Cleator-yea. Golding-yea. Williams-not present.
Schnaubelt-not present. Gotch-yea. Murphy-yea. Killea-yea. Mayor
Wilson-not present.

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ITEM-312:

DESCRIPTION:

Welcome to New Employees.

FILE: MEET

COUNCIL ACTION:

COUNCIL ACTION: (Tape location: None).

Cancelled.

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ITEM-330:

DESCRIPTION: Nine Resolutions relative to the CARROLL CANYON CENTRE ASSESSMENT DISTRICT under the 1913 Street Improvement Act - Resolution of Intention R-254672:

Subitem-A: (R-82-256) Adoption of a Resolution CONFIRMING the ASSESSMENT DISTRICT.

Subitem-B: (R-82-257) Adoption of a Resolution APPROVING the AMENDED ENGINEERS REPORT.

Subitem-C: (R-82-258) Adoption of a Resolution of FEASIBILITY. (8 votes required.)

Subitem-D: (R-82-259) Adoption of a Resolution regarding the BOND MATURITIES and CONFIRMING SALE OF BONDS.

Subitem-E: (R-82-260) Adoption of a Resolution AWARDING the CONSTRUCTION CONTRACT.

Subitem-F: (R-82-261) Adoption of a Resolution ESTABLISHING a BOND RESERVE FUND.

Subitem-G: (R-82-262) Adoption of a Resolution regarding FORECLOSURE of DELINQUENT ASSESSMENTS.

Subitem-H: (R-82-263) Adoption of a Resolution authorizing the amount of \$473,076 as the City contribution for REALIGNMENT of BLACK MOUNTAIN ROAD.

Subitem-I: (R-82-264) Adoption of a Resolution authorizing an AMENDMENT to AGREEMENT with the Engineers of Work and the Assessment Engineer. NOTE: This Item is to be taken with Items 331 and 332.

FILE: STRT D-2227

COUNCIL ACTION:

COUNCIL ACTION: (Tape location: A175-B331).

Subitem-A adopted as Resolution R-254885.

Subitem-B adopted as Resolution R-254884.

Subitem-C combined with Subitem-A.

Subitem-D continued to September 29, 1981, 10:30 a.m.

Subitem-E adopted as Resolution R-254886.

Subitem-F adopted as Resolution R-254887.

Subitem-G adopted as Resolution R-254888.

Subitem-H adopted as Resolution R-254889.

Subitem-I adopted as amended as Resolution R-254890.

Hearing began at 10:42 a.m. and halted at 11:36 a.m.

Testimony by Richard Burt, Bond Counsel and John Dainwood, Engineer of the work.

Testimony in opposition to Subitem-E by Kenneth Welch.

Motion by Schnaubelt to refer to the Board of Fiscal Overseers the matter of evaluating the appropriateness of a policy by the City Council to put a ceiling on the amounts of any or all of the various types of bonds that the Council approves. Second by Cleator. Passed by the following vote:

Yeas-2,3, 5, 6, 7, 8. Nays-None. Not present-M, 1, 4.

Motion by Cleator to continue Subitem-D to September 29, 1981, 10:30 a.m.

Second by Schnaubelt. Passed by the following vote: Yeas-2, 3, 5, 6, 7, 8.

Nays-None. Not present-M, 1, 4.

MOTION BY CLEATOR TO ADOPT SUBITEMS-A, B, E, F, G, H; AND ADOPT SUBITEM I AS

AMENDED TO INCLUDE AS A PART OF THE AGREEMENT, THE HOLD HARMLESS LETTERS FROM

BEMENT-DAINWOOD-STURGEON AND THE SUBCONSULTANT, GEOCON (SOILS ENGINEERS) IN

ADDITION TO THAT PREVIOUSLY NOTED IN THE RESOLUTION. Second by Schnaubelt.

Passed by the following vote: Mitchell-not present. Cleator-yea.

Golding-yea. Williams-not present. Schnaubelt-yea. Gotch-yea. Murphy-yea.

Killea-yea. Mayor Wilson-not present.

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ITEM-331:

DESCRIPTION: Six Resolutions relative to the FINAL SUBDIVISION MAP of CARROL CANYON CENTRE:

Subitem-A: (R-82-246) Approving the FINAL MAP and acknowledging receipt of SUBDIVIDER'S ASSURANCE OF COMPLIANCE with the Affirmative Marketing Program.

Subitem-B: (R-82-247) Authorizing the execution of an AGREEMENT with Conrock Company for the installation and completion of improvements.

Subitem-C: (R-82-250) VACATING a portion of BLACK MOUNTAIN ROAD, Drawing No. 15168-B, under the summary vacation procedure.

Subitem-D: (R-82-251) Dedicating a street reservation in LOTS 31 and 40 of MARK II INDUSTRIAL PARK, MAP-9310 and naming the same VIA PASAR, Drawing No. 15167-B.

Subitem-E: (R-82-252) Authorizing the execution of a QUITCLAIM DEED, conveying to Conrock Company, all the City's right, title and interest in UNNEEDED SLOPE AND DRAINAGE EASEMENTS, Drawing No. 15168-B.

Subitem-F: (R-82-253) Authorizing the acceptance of a TEMPORARY WORKING EASEMENT over proposed LOT 5.

Subitem-G: (R-82-304) Adoption of a Resolution, presented in the meeting, AMENDING, at the request of the subdivider of the above Centre, para. 17 of the conditions of approval of TM-78-482. Said paragraph relates to the stipulation by the developer of the subdivision covered by this tentative map that, prior to the issuance of any building for residential structures, the developer will submit to the City a letter from the S.D. Unified School District. Said letter shall state that developer has performed all required terms and conditions of San Diego City Council Policy 600-22 and San Diego Unified School District's Policy for DETERMINING THE AVAILABILITY OF SCHOOLS. NOTE: This Item is to be taken with Items 330 and 332.

FILE: SUBD Carroll Canyon Center,

Subitem C, STRT J-2386 DEED F-1028,

Subitem D, DEED F-1029,

Subitem E, DEED F-1030, and

Subitem F, DEED F-1031

COUNCIL ACTION: (Tape location: B308-317)

Subitem-A adopted as Resolution R-254891.

Subitem-B adopted as Resolution R-254892.

Subitem-C adopted as Resolution R-254893.

Subitem-D adopted as Resolution R-254894.

Subitem-E adopted as Resolution R-254895.

Subitem-F adopted as Resolution R-254896.

Subitem-G adopted as Resolution R-254897.

Hearing began at 10:42 a.m. and halted at 11:36 a.m.

Testimony by Richard Burt, Bond Counsel and John Dainwood, Engineer of the work.

MOTION BY CLEATOR TO ADOPT. Second by Schnaubelt. Passed by the following vote: Mitchell-not present. Cleator-yea. Golding-yea. Williams-not present. Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

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ITEM-333:

DESCRIPTION: Two proposals relative to the MIRA MESA COMMUNITY PLAN: a - Proposal to adopt the MIRA MESA COMMUNITY PLAN AND LOCAL COASTAL PROGRAM.

The proposed plan would include revising the current land use designations and guidelines for development in the existing Mira Mesa Community Plan, adopted by the City Council on June 15, 1977 by Resolution No. R-218619; and the designation of land uses for approximately 3,300 acres which formerly comprised the "Future Study Area" or Western Area Supplement of the Mira Mesa Community Plan. The area is generally bounded by Los Penasquitos Canyon on the north, I-15 on the east, I-805 on the west and Miramar Road on the south.

b - Proposal to amend the Progress Guide and General Plan for the City of San Diego - to amend the Map concerning those portions covered by the proposed revisions to the Mira Mesa Community Plan. (Planning Department recommended APPROVAL of the plan; was opposition to portions of the plan. Planning Commission voted 6-0 to APPROVE the plan.)

Today's action is:

Subitem-A: (R-82-86) Adoption of a RESOLUTION certifying that the information contained in SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT EIR-80-12-30 has been

completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by

the Council.

Subitem-B: (R-82-85) Adoption of a RESOLUTION approving the Mira Mesa Community Plan and Local Coastal Program, to be effective when the amendment to the General Plan Map is adopted, after a hearing on or about September 30, 1981.

Subitem-C: (R-82-87) Adoption of a RESOLUTION containing appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT EIR-80-12-30. NOTE: The project proponent must furnish Council with the proposed findings in keeping with Section 21081 of the California Public Resources Code.

FILE: LAND Mira Mesa Community Plan

COUNCIL ACTION: (Tape location: C127-E383)

Subitem-A adopted as Resolution R-254902.

Subitem-B adopted as Resolution
R-254903.

Subitem-C adopted as Resolution R-254904.

Hearing began 2:18 p.m. and halted 4:01 p.m.

Testimony in opposition by Bruce Warren.

Testimony in favor by Verne Goodwin, Donald Castor, and John Alstrom.

MOTION BY KILLEA TO CLOSE THE HEARING, ADOPT SUBITEMS-A, B, AND C, AND REFER

THE MLI ZONING AND PARK SITES WITHIN MIRA MESA TO PLANNING AND PARK AND

RECREATION DEPARTMENTS FOR FURTHER REVIEW. Second by Schnaubelt. Passed by the following vote: Mitchell-yea. Cleator-yea. Golding-yea. Williams-not present. Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Testimony on Penasquitos Parks by Neil Gasgone.

MOTION BY CLEATOR TO REFER THE SUBJECT OF PROPOSED BALL FIELDS IN THE

PENASQUITOS PARK PRESERVE TO PUBLIC FACILITIES AND RECREATION COMMITTEE FOR

REVIEW. Second by Schnaubelt. Failed by the following vote: Mitchell-nay. Cleator-yea. Golding-yea. Williams-not present. Schnaubelt-yea. Gotch-nay. Murphy-yea. Killea-nay. Mayor Wilson-not present.

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ITEM-334:

DESCRIPTION: (Continued from the Meeting of August 11, 1981 at Councilmember Killea's request.) Two PROPOSALS relative to the OTAY MESA-NESTOR COMMUNITY PLAN:

FILE:

DESCRIPTION:

a - Proposal to adopt the amendment to the OTAY MESA-NESTOR COMMUNITY PLAN.

The proposed amendment includes the following: 1) Revision of the study area boundaries by extending the southerly boundary located westerly of I-5 to a line approximately 1,000 feet north of Sunset Avenue. The present boundary is Leon Street. 2) Redesignation of the 18-acre area located between I-5 and the railroad and south of Palm Avenue from light industrial to medium-density (15-30 dwelling units per acre) residential use. The number of overall dwelling units is increased by approximately 360. 3) Redesignation of proposed land use of the 10-acre area located north of Palm Avenue between Hollister Street and I-5 from low-density residential to convenience commercial use (CN). 4) Redesignation of three areas totalling 17 acres and located north and south of Palm Avenue and easterly of the railroad from low-density residential use (R-1-5) to low-medium density residential use (R-2). b

- Proposal to amend the Progress Guide and General Plan for the City of San Diego - to amend the Map concerning those portions covered by the proposed amendments to the Otay Mesa-Nestor Community Plan. (DISTRICT-8.) (Planning Department recommended APPROVAL of the amendment to the community plan; was opposition. Planning Commission voted 5-0 to APPROVE the amendment with an adjustment in the boundary for Amendment 2 to exclude a portion of property.)

Today's action is:

Subitem-A: (R-82-84) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-81-04-17 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-82-83) Adoption of a RESOLUTION approving the amendment to the Otay Mesa-Nestor Community Plan, to be effective when the amendment to the General Plan Map is adopted after a hearing on or about September 30, 1981.

NOTE: Hearing open, testimony taken on 8/11/81. District 4 not present.)

FILE: LAND Otay Mesa-Nestor Community Plan

COUNCIL ACTION: (Tape location: E392-G009)

Subitem-A adopted as Resolution R-254905.

Subitem-B adopted as Resolution R-254906.

Hearing began 4:02 p.m. and Halted 5:01 p.m.

Councilmember Schnaubelt left 4:05 p.m.

Testimony in opposition by Katherine Cheers.

Testimony in favor by Phil Walling, Juan J. Hernandez, and Nick Acquilar.
Councilmember Schnaubelt in 4:24 p.m.
Testimony in favor by Ruth Schneider and Dave Breman.

MOTION BY KILLEA TO CLOSE THE HEARING, ADOPT SUBITEMS-A AND B,
APPROVING THE
PLAN WITH THE RECOMMENDATIONS OF THE PLANNING DEPARTMENT
PRESENTED AT THE
MEETING AND WITH MODIFICATIONS TO REMOVE THE PRD REQUIREMENTS AND
THE CHANGES
IN ZONING FROM A1-10 TO R-2. Second by Gotch. Passed by the following vote:
Mitchell-not present. Cleator-yea. Golding-yea. Williams-not present.
Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not
present.

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ITEM-UC-1:
DESCRIPTION:
(R-82-372) A Resolution presented to the City Council with UNANIMOUS CONSENT:
Excusing Mayor Pete Wilson from the City Council Meeting, both morning and
afternoon sessions, of Tuesday, August 25, 1981 for the purpose of vacation.
FILE: (MEET)
COUNCIL ACTION: (Tape location: B337-345).
Adopted as Resolution R-254901.
MOTION BY SCHNAUBELT TO ADOPT. Second by Cleator. Passed by the following
vote: Mitchell-not present. Cleator-yea. Golding-yea. Williams-not
present. Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-yea. Mayor
Wilson-not present.

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ITEM-UC-2:
DESCRIPTION:
(O-82-33 REVISED) An Ordinance presented to the City Council with UNANIMOUS
CONSENT:
An Ordinance amending Chapter II, Article 7, of the San Diego Municipal Code
by amending Section 27.2941 (b), relating to campaign contributions.
FILE: (MEET)
COUNCIL ACTION: (Tape location: B356-596 and G009-018).
Introduced, to be adopted September 14, 1981.
MOTION BY SCHNAUBELT TO INTRODUCE. Second by Cleator. Passed by the
following vote: Mitchell-not present. Cleator-yea. Golding-yea.
Williams-not present. Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-yea.
Mayor Wilson-not present.

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ITEM-UC-3:

DESCRIPTION:

(R-82-388) A Resolution presented to the City Council with UNANIMOUS CONSENT:
Excusing Councilmember Mitchell from the morning session of the August 25,
1981 Council meeting due to illness.

FILE: MEET

COUNCIL ACTION: (Tape location: G019-021).

Adopted as Resolution R-254909.

MOTION BY SCHNAUBELT TO ADOPT. Second by Cleator. Passed by the following
vote: Mitchell-not present. Cleator-yea. Golding-yea. Williams-not
present. Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-yea. Mayor
Wilson-not present.

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ADJOURNMENT:

FILE: MINUTES

DESCRIPTION:

By common consent, the meeting was adjourned by Chairperson Killea.